



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

JRE
Docket No: 3185-99
24 January 2000

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: FORMER [REDACTED]
REVIEW OF NAVAL RECORD

Ref: (a) 10 U.S.C. 1552

Encl: (1) DD Form 149
(2) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that her naval record be corrected to show that she was discharged by reason of physical disability, with an honorable discharge.
2. The Board, consisting of Ms. LeBlanc and Mr. Hardbower and Mr. Kastner, reviewed Petitioner's allegations of error and injustice on 21 January 2000 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.
3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:
 - a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.
 - b. Enclosure (1) was filed in a timely manner.
 - c. Petitioner enlisted in the Navy on 19 May 1998. On 23 September 1998, the Physical Evaluation Board found her unfit for duty because of multiple stress fractures, rated at a combined 20%. She was discharged by reason of physical disability on 2 November 1998, with an entry level separation. She did not receive disability severance pay because she had not completed six months of active service, which is the minimum period of service required in order to qualify for severance pay.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes that

Petitioner's discharge by reason of physical disability was proper, and that there is no basis for awarding her disability severance pay. It also concludes that it would be in the interest of justice, as an exception to policy, to correct her record to show that she was separated from the Navy with an honorable discharge.

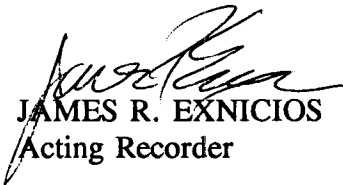
RECOMMENDATION:

a. That Petitioner's naval record be corrected to show that she was discharged from the Navy on 2 November 1998, with an honorable discharge.

c. That a copy of this Report of Proceedings be filed in Petitioner's naval record.


4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) it is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN
Recorder



JAMES R. EXNICIOS
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.



W. DEAN PFEIFFER
Executive Director